IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

LA.App..No. 883 of 2006()

LAR.551/1997 of PRL.SUB COURT, KOZHIKODE
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APPELLANT: RESPONDENTS
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1. STATE OF KERALA ,
REP BY THE SPECIAL TAHSILDAR (LA),

2. EXECUTIVE ENGINEER, N.H.DIVISION,
CALICUT.

BY GOVERNMENT PLEADER SMT.LATHA THANKAPPAN

RESPONDENTS: CLAIMANT:

KUNDOTTIL DAMODHARAN NAIR,
ACHUTHALAYAM, PUTHIYANDADI.

BY ADV. SRI.P.V.KUNHIKRISHNAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 29/11/2007, ALONG WITH L.A.A.NO.162/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.Nos.883/2006 & 162/2007

Dated this the 29th day of November, 2007

JUDGMENT

Kurian Joseph,J.

These are appeals filed by the State aggrieved by the fixation of land value in respect of acquisition for Calicut Bye-pass. The properties are situated in Vengeri Village. The reference court fixed the land value at Rs.30,000/- per cent placing reliance on the common judgment in L.A.R.No.499/1997. L.A.R.No.499/1997 was the subject matter of L.A.A.No.519/2001 and pursuant to remand by this court the value has been refixed by the reference court at Rs.25,000/- per cent. Therefore, these appeals are partly allowed. The land value is refixed at Rs.25,000/- per cent. The claimant shall also be entitled to interest on solatium.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.No.883/2006 &
162/2007

JUDGMENT

29th November, 2007